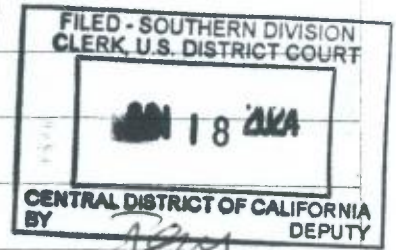


1 MICHAEL JOHN SILVER

2 CHINO, CALIFORNIA INSTITUTION FOR MEN
3 P.O. Box 500

4 CHINO CALIFORNIA 91708



5
6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE SOUTHERN DISTRICT OF CALIFORNIA

1PP
Submitted

8 MICHAEL JOHN SILVER

CASE No: 8:24-cv-01355

DDP-SSC

9 ✓
10 CALIFORNIA - OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

11
12
13 JURISDICTION

14
15 THIS COURT HAS JURISDICTION UNDER CODE CIV PROC
16 §403.080 AND CODE CIV PROC §418.10

17
18 INTRODUCTION

19
20 THIS WRIT OF MANDATE WAS ORIGINALLY FILED IN ORANGE
21 COUNTY SUPERIOR COURT AND WAS DENIED WITH GENERIC
22 RULINGS. PETITIONER SEEKS REVIEW IN FEDERAL
23 COURT. THE WRIT OF MANDATE ONLY SEEKS TO FORCE OSHA
24 TO ANSWER A FOIA REQUEST. THE FOIA REQUEST FALLS
25 UNDER NORMAL CIRCUMSTANCES AND IS NOT EXEMPT.
26
27
28

MICHAEL J SILVER Bu3186

B4-114

P.O. Box 441

CHINO CA 91708

VIA PROJECT CANNIBAL

SUPERIOR Court of the State of California
County of ORANGE
SANTA ANA CA 92702

MICHAEL J SILVER Bu3186 Petition for Writ of MANDATE
VIA PROJECT CANNIBAL

✓
California - Occupational Safety and Health Administration
2 MacArthur Place Suite 720
SANTA ANA CA 92707

Secretary of Department of Corrections (CDCR)
JEFFREY MACOMBER
971 Corporate Center Drive
PAMONA CA 91768

MICHAEL J SILVER BU3186

P.O. Box 441

Chino CA 91708

VIA PROJECT CANNIBAL

SUPERIOR Court of the State of California
County of ORANGE

IN RE

MICHAEL SILVER

VIA PROJECT CANNIBAL

PETITION For Writ of MANDATE
V California - Occupational Safety
And Health Administration

ON MANDATE

INTRODUCTION

My name is MICHAEL SILVER AND I AM from PROJECT CANNIBAL. Since being introduced to CDCR I HAVE BEEN subjected to various forms of Abuse, torture, bullying and bizarre occurrences. In this Writ of MANDATE I would like Superior Court to force CAL-OSHA to answer my FREEDOM of Information Act (FOIA). My FOIA concern FORM 300's and HR-WC-EOO1 reports that have been submitted at California Institution for Men and California State Prison, (for 2023-2024) both are CDCR facilities. Even as a prisoner of California, I, MICHAEL SILVER AM ENTITLED to ANY FOIA request that are not listed under 5 U.S.C. § 552 ~~EXEMPTIONS~~ PETITIONERS FOIA

INTRODUCTION continued

request MAY OR MAY NOT INVOLVE civil right violations AS interpreted in the CAL CIV Code §51.7(B)(2)(C)(2). If California-Occupational Safety and Health Administration fails to ANSWER My FOIA request they are performing AIDING AND ABETTING liability AS interpreted in JOHN DOE, 1 et al v Nestle USA et al 766 F.3d 1013. IN the documents provided for the MEMORANDUM, petitioner will show CAUSE OF Abuse, torture, bullying AND BIZARRE OCCURRENCES

PARTIES

1. Petitioner SILVER is incarcerated in the State of California At California Institution for Men
2. PROJECT CANNIBAL is a educational whistle-blower program that studies, disrupts and dismantles BIZARRE corruption in CDCR
3. California-OSHA is responsible to enforce statutes and regulations that provide safety in California work places and facilities
4. Jeffrey Macomber is the Secretary of the California Department of Corrections AND Rehabilitation (CDCR) AND is responsible for the operation of each of its State Prisons, including California Institution for Men AND California State Prison.

STATEMENT OF FACTS

Petitioner was introduced to CDCR in October of 2023 as a person who is involved in political activism. During petitioners time as a state prisoner he has experienced bullying, torture and bizarre occurrences. Petitioner was originally general population (GP) and the politics of GP suggest some aspects are segregated like the phones. CDCR officers kept turning off the black inmates phones. At this time the white inmate phone stayed on. This manipulated the environment into a riot. During that riot petitioner was stabbed three(3) times. I made FOIA request involving the phone company and my correspondence was most likely the subject of machination. While incarcerated at CAL petitioner was involved in various medical procedures. These medical procedures resulted in a condition called cervical dystonia and also caused a pigment distortion on the petitioners face. When the petitioner inquired with medical personnel about what was happening they said it was the buildings environments and the UV rays from the sun. And exposure. Petitioner then made FOIA request to CAL-OSHA regarding chemicals in the environment of his living quarters. These FOIA request inquired about if any form 300's or HR-WC-FOD were filed with CAL-OSHA to see if any employees suffered the same abnormal injuries. Petitioner made these FOIA request because of his political activism involve risk of sabotage and poisonings. Those FOIA request to CAL-OSHA where never responded to. Petitioner also contacted the Office of the Inspector General (OIG) about the cervical dystonia which defines sexual abuse. Calipatria State Prison retaliated by sending petitioner to a much take crisis

bed at California Institution for Men's DYARD. THE DATE WAS 11-20-23-11-30-23 there was no hot water or HEAT. Petitioner believes this was RETALIATION for his political Agenda and Sexual identity. This practice is called cold cell/hypothermic torture. It is suppose to break down the subject psychologically and intimidate. Petitioner was informed by his handlers that California Institution for Men is a cess-pool of what Project CANNIBAL is addressing. Petitioner has made two attempts at FOIA request to CAL-OSHA while incarcerated at CIM. Both attempts were made in regular fashion and again that correspondence was the subject of MACHINATION. During petitioners incarceration, he has been the subject of bullying, torture and bizzare occurrences. Please REFER to documents made available in the memorandum

CONTENTIONS

Petitioners rights were violated 18 U.S.C.S. 241 Conspiracy against rights. As interpreted in United States v Scott 979 F.3d 986. BECAUSE CDCR staff consisted of two or more persons to conspire to inquire, oppress, threaten or intimidate petitioner in the State of California

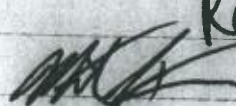
Petitioner rights were violated 5 USCS §552 because it is each Agencies responsibility to make available to the public information what is not exempt from FOIA request

CONTENTIONS continued

PETITIONER WAS DENIED HIS FIRST AMENDMENT RIGHTS AS INTERPRETED IN SUMMERS v DOJ 569 F.3d 500 BECAUSE PETITIONERS FOIA CORRESPONDENCE WAS NEVER RESPONDED TO OR WAS THE SUBJECT OF MACHINATION

PRAYER FOR RELIEF

1. DECLARE THE RIGHTS OF THE PARTIES
2. FORCE CALIFORNIA - OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION TO RESPOND TO ATTACHED AND PREVIOUSLY MAILED FOIA REQUEST
3. COMPEL CAL-OSHA TO INVESTIGATE THE CHEMICALS OR ELEMENTS IN CORRECTIONAL FACILITIES THAT CAUSE ADNORMAL INJURIES AS LISTED IN THIS DOCUMENT
4. COMPEL CAL-OSHA TO INVESTIGATE AND AUDIT THE HOSPITAL ON CALIFORNIA INSTITUTION FOR MEN'S DYARD @ 1490 CENTRAL AVENUE, CHINO CA 91708
5. GRANT ANY OTHER AND FURTHER RELIEF THE COURT DEEMS PROPER.

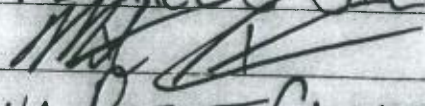
Respectfully submitted

MICHAEL SILVER
VIA PROJECT CANNIBAL

VERIFICATION

I, MICHAEL SILVER Bu3186 state:

I am the petitioner in this action. I have read the foregoing petition for writ of MANDATE and the facts stated therein are true of my own knowledge except as to matters that are stated on my own information and belief, as to those matters I believe them to be true.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Chino California on: 4-14-2024

MICHAEL J SILVER

VIA PROJECT CANNIBAL

DATE: 4-12-2024

CALIFORNIA - Occupational Safety and Health Administrative
ATTN: FOIA REQUEST

DEAR CAL-OSHA FOIA Officer

THIS IS A REQUEST UNDER THE FREEDOM OF INFORMATION ACT

DATE RANGE OF REQUEST: 3-1-23-4-21-24

DESCRIPTION OF REQUEST: Would like the print outs of every
OSHA FORM 300's Summary of Work Related injuries AND illness's
and HR-WC-FOOI Accident Investigation Reports AND anything that
had to do with pigment distortions AND bizarre occurrences/injuries @
the following facility's/addresses

Calipatria State Prison
7018 Blair Road
Calipatria CA 92244

California Institution for Men
14901 CENTRAL AVE
CHINO CA 91708

EVEN AS A STATE PRISONER I AM ENTITLED TO THIS INFORMATION
PLEASE SEARCH THE CAL-OSHA SYSTEM FOR THIS INFORMATION RESPONDING TO THIS
REQUEST RELATED TO THE ABOVE TOPICS AND SITUATIONS. THANK YOU FOR YOUR TIME

@

MICHAEL SILVER BU386
B4-114
P.O. Box 441
Chino CA 91708

8

STATE OF CALIFORNIA

OIGOFFICE of the
INSPECTOR GENERALAmarik K. Singh, Inspector General
Neil Robertson, Chief Deputy Inspector General

Independent Prison Oversight

Regional Offices

Sacramento
Bakersfield
Rancho Cucamonga

November 1, 2023

Michael Silver, BU3186
Calipatria State Prison
P.O. Box 5002
Calipatria, CA 92233-5001

Dear Michael Silver,

The Office of the Inspector General (OIG) received your correspondence. Federal Prison Rape Elimination Act (PREA) Standard Section 115.51(b) requires we forward reports of sexual abuse and sexual harassment to the California Department of Corrections and Rehabilitation (CDCR). We forwarded your allegation to the PREA Compliance Manager (PCM) at CAL. You can request information about the PREA inquiry by sending a CDCR Form 22 to the PCM.

As part of our statutory mandates, Penal Code Section 2641 authorizes us to review the mishandling of sexual abuse incidents within CDCR institutions, maintain the confidentiality of sexual abuse victims, and ensure an impartial resolution of sexual abuse complaints. We do not investigate PREA allegations; we review the inquiries CDCR performs into allegations of PREA violations.

If you feel further review is needed, you may contact us with more information once CDCR's PREA inquiry is complete, and you have completed the grievance and appeal process. Please identify your specific concerns about the PREA inquiry CDCR performed. In addition, please include related log numbers and dates, rather than physical copies, of any grievances, appeals, or incident reports. Do not send us original documents because we will not be able to return them.

Additionally, please submit a CDCR Form 7362 (Health Care Services Request Form) if you have a medical or mental health request.

Thank you for bringing your concerns to our attention.

INTAKE AND REVIEW UNIT
Office of the Inspector General

23-0066225-PI



STATE OF CALIFORNIA

GRIEVANCE

CDCR 602-1 (Rev. 01/22)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

CIM OOG

Page 1 of 2

OGT Log No: 534032Date Received: MAR 14 2024

Decision Due Date: _____

Categories: _____

RECEIVED

Claimant Name: SILVER, MICHAELCDCR #: Bu3186Institution/Parole Region: CIMCurrent Housing/Parole Unit: B4-114Use this form to file a complaint with the Department.

In order for the Department to understand your complaint, please answer all of the following questions:

- What is the nature of your complaint?
- When and where did the complaint occur?
- Who was involved?
- Which specific people can support your complaint?
- Did you try to informally resolve the complaint?
- What rule or policy are you relying on to make your complaint?
- What specific action would resolve your complaint?

NOTE: Attach documents that help support your complaint (identify the documents if you do not have them).

I am from a whistleblower group on the targeted individual crisis. I have been told my mail is and has been tampered with. Incoming and Outgoing Today on 3/13/2024 I had to pick up mail from another location. Is there any safe guards I can have to avoid this problem? It is a FEDERAL OFFENSE to tamper with ANYONES MAIL. It is also a fast track to FEDERAL COURT. Some of my mail that did not go out was in route to another whistleblower called TARGETED JUSTICE in Houston TEXAS. Also mail to the ACLU was not mailed at their Los Angeles location. This is a institution problem not a postage inspector issue.

I will also be following up on correspondence I sent to

CALPIA

OSHA

CDCR office of Internal Affairs

FBI Civil Rights Squad

I keep track of all incoming/outgoing correspondence

ALL these GOV'S have to do with my mail

Log 475697

481539

528956

STATE OF CALIFORNIA
**MEDICAL REPORT OF INJURY
 OR UNUSUAL OCCURRENCE**
 CDCR 7219 (Rev. 01/18)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

Page 1 of 2

NAME OF INSTITUTION NRSP		LOCATION OF EVALUATION THE - C-YARD # 4		DATE 12-06-22	
REASON FOR REPORT <input type="checkbox"/> ALLEGATION <input type="checkbox"/> ON THE JOB INJURY <input checked="" type="checkbox"/> USE OF FORCE <input type="checkbox"/> INJURY <input type="checkbox"/> OTM RETURNS <input checked="" type="checkbox"/> UNUSUAL OCCURRENCE <input type="checkbox"/> PRE AD/SEG ADMISSION <input type="checkbox"/> R&R <input type="checkbox"/> OTHER					
NAME LAST SILVER FIRST		COCIL NUMBER B113186		PERNR / INST. ID # NTA	VISITOR ID # (DOB) NTA
PLACE OF OCCURRENCE C-WEST	DATE OF OCCURRENCE 12-06-22	TIME OF OCCURRENCE 12:16	TIME SEEN 12:20	PH NOTIFIED TIME ANGEL DVA	PHYSICIAN NOTIFIED TIME
BRIEF STATEMENT IN SUBJECT'S WORDS OF THE CIRCUMSTANCES OF THE INJURY OR UNUSUAL OCCURRENCE					

NO COMMENT

INJURIES FOUND	YES	NO
Abrasion/Scrub		1
Active Bleeding		2
Bruised Area		3
Bruise/Discolored Area		4
Burn		5
Chilblains		6
Dried Blood		7
Fresh Tattoos		8
Cut/Laceration/Slash		9
Swollen Area		10
Pain		11
Protrusion		12
Puncture		13
Reddened Area		14
Skin Flap		15
Fro-Balding		16
Other		17
		18
Chemical Agent Exposure?	YES	NO
Chem. Agent Exposure Area		EX
Decontaminated w/ Water?	YES	NO / REFUSED
Decontaminated w/ Aft?	YES	NO / REFUSED
Self-Decontamination instructions given?	YES	NO
Staff issued Exposure packet?	YES	NO
Q 15 min. check times		

Initial	NTA	1 st Check	NTA
2 nd Check	NTA	Final	NTA

TIME/DISPOSITION **RTA TTA 12:45**

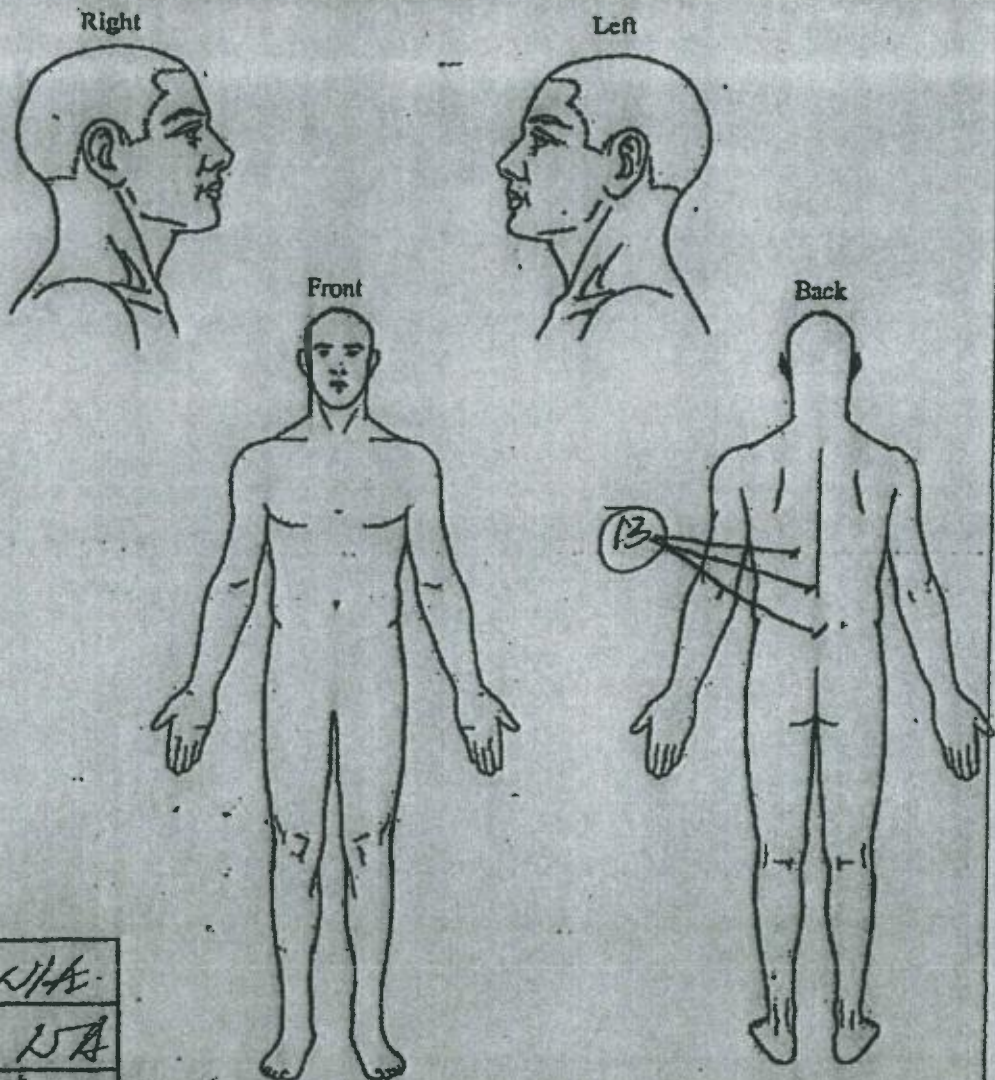
REPORT COMPLETED BY/TITLE (PRINT AND SIGN)

H. CUMMER **NTA m** **CON**

PERNR / INST. ID #

RDOs

ASSIGNMENT AREA

SUN/MON**ROOBY**

STATE OF CALIFORNIA
MEDICAL REPORT OF INJURY
OR UNUSUAL OCCURRENCE
CDCR-2107 (Rev. 8/1/18)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

Page 1 of 2

NAME OF INSTITUTION NK&P		LOCATION OF EVALUATION Charlie medical exam +		DATE 12/6/2022	
REASON FOR REPORT <input type="checkbox"/> ALLEGATION <input checked="" type="checkbox"/> ON THE JOB INJURY <input checked="" type="checkbox"/> USE OF FORCE <input type="checkbox"/> INJURY <input type="checkbox"/> OTM RETURNS		<input checked="" type="checkbox"/> UNUSUAL OCCURRENCE <input type="checkbox"/> PRE AD/SEG ADMISSION <input type="checkbox"/> R&R <input type="checkbox"/> OTHER			
NAME Tabash	LAST P.	FIRST P.	CDR NUMBER B98249	PERNR / INST. ID #	VISITOR ID # (SOMIS)
PLACE OF OCCURRENCE Charlie West	DATE OF OCCURRENCE 12/6/2022	TIME OF OCCURRENCE 1214	TIME ARIEN 1220	RN NOTIFIED TIME 1220	PHYSICIAN NOTIFIED TIME
BRIEF STATEMENT IN SUBJECT'S WORDS OF THE CIRCUMSTANCES OF THE INJURY OR UNUSUAL OCCURRENCE "NO."					

INJURIES FOUND?	YES/NO
Unlabeled Scars	(1)
Active Bleeding	(2)
Broken Bone	3
Bruise/Discolored Area	4
Burn	5
Dislocation	6
Drift Blood	(7)
Fract. Tendon	8
Ch. Laceration/Slash	(9)
Skin Tear	10
Pain	11
Fracture	12
Puncture	13
Reddened Area	14
Skin Pin	15
Pop-Grinding	16
Other	17
	18

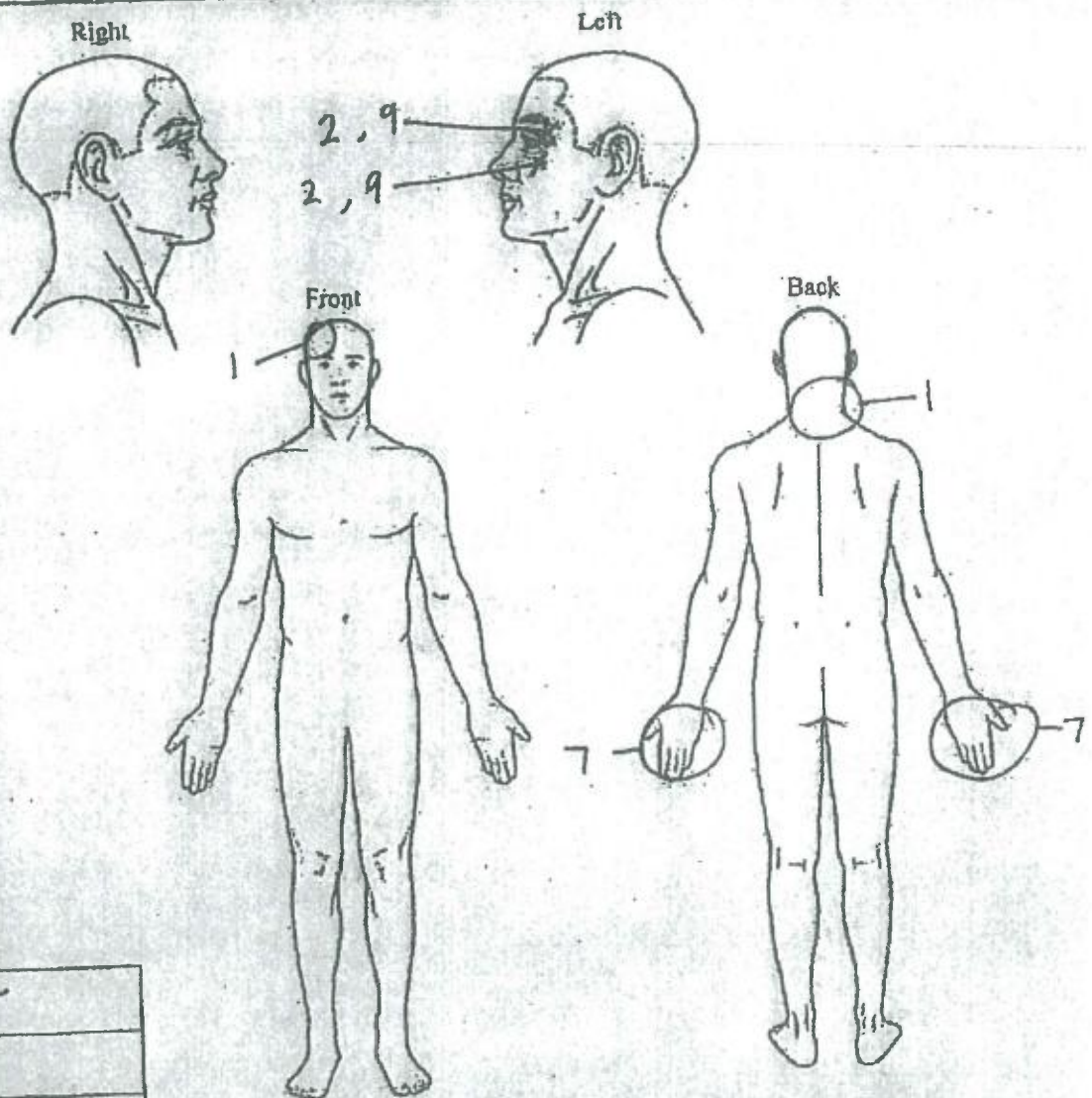
Chemical Agent Exposure?	YES/NO
Chem. Agent Exposure Area	EN
Decontaminated to Water?	YES/NO/REFUSED
Decontaminated to Air?	YES/NO/REFUSED
Self-Decontamination Instructions given?	YEA/NO
Staff Assigned Exposed?	YES/NO

Q 15 min. check times

Initial	N	1 st Check
2 nd Check		Final

TIME DISPOSITION **TIA 01232**REPORT COMPLETED BY (TITLE, PRINT AND SIGN)
M. Hernandez

PERNR / INST. ID #	EDC	ASSIGNMENT AREA
	Sat/oun	Registry



CDCR

INCIDENT REPORT PACKAGE

PAGE: 95

REPORT NO. ITR161 - 12

INCIDENT LOG NUMBER: 00000000049095

PROCESSED: 12/19/2022 13:47

REQUESTOR: M. Vega

STAFF NARRATIVE

STAFF NAME: Schultz, Jr

NARRATIVE TYPE: Initial Report

CREATED DATE: 12/09/2022

CREATED TIME: 07:52:19

NARRATIVE

On Tuesday, December 6, 2022, at approximately 1214 hours, while assigned as Facility "D" Building 1, Floor #2, a "Code 2" on Facility C, Dorm 5 (FCD5) was announced via Institutional radio. Upon arrival to FCD5, I observed all inmates in a seated or prone position. Facility C, Sergeant M. Bravo instructed me to escort Inmate Silver #BU3186 (FCD5-58L), who was located in a prone position in front of the "A" section inmate restrooms. I placed Silver in handcuffs, and conducted a clothed body search with negative results for contraband, however I observed what appeared to be 3 puncture wounds to his left side. I assisted Silver to his feet. Due to the presence of Chemical Agents, I asked Silver if he was exposed to Chemical Agents, to which he replied, "No." I notified Sergeant Bravo of Silver's injuries and he instructed me to escort Silver to the Triage and Treatment Area (TTA) to be medically evaluated. I escorted Silver to TTA where I relinquished custody to TTA staff.

I returned to FCD5 to provide further assistance. Upon arrival I was instructed by Sgt. Bravo to escort Inmate Rommel CDCR #BU2685 (FCD5-60L) who was who was located in a prone position in front of bunk 35. I placed handcuffs on Rommel, performed a clothed body search of his person with negative results for contraband, assisted Rommel to his feet, and escorted him out of the building. I asked Rommel if he was exposed to O.C. pepper spray, and if he would like to be decontaminated, in which he stated "Yes." I escorted Rommel to the Facility "C" Emergency Eye Wash Station, where Rommel was decontaminate with cool running water until he stated he was satisfied. Due to all the Facility C holding cells being occupied, I escorted Rommel to Facility B holding cells, where I placed Rommel inside holding cell #9. Prior to placing Rommel inside holding cell 9, I performed a visual search of holding cell #9 with negative results for contraband. I secured the holding cell door, removed the handcuffs, and performed an undlothed body search of his person with negative results for contraband. I initiated a Holding Cell Log, and informed Medical Staff that a Medical Evaluation (7219) needed to be conducted on Rommel.

I returned to FCD5 to provide further assistance. Upon arrival I was again instructed by Sgt. Bravo to escort Inmate Loveday #BU6228 (FCD5-94U) who was located in between bunk 69 and the dayroom benches. I placed handcuffs on Loveday, performed a clothed body search of his person with negative results for contraband. I assisted Loveday to his feet, and escorted him out of the building. I asked Loveday if he was exposed to O.C. pepper spray, in which he stated "No." I escorted Loveday to the Facility "D" Holding Cell Area. I performed a visual search of Holding Cell #6 with negative results for contraband, and placed Loveday inside. I secured the holding cell door, removed the handcuffs, and performed an Undlothed Body Search of his person with negative results for contraband, however I discovered bleeding to his left shoulder area. I informed Medical Staff of Loveday's injuries and that a Medical Evaluation (7219) needed to be conducted on Loveday. I initiated a Holding Cell Log. This concludes my involvement in this incident.

J. Schultz

DATE: 12/09/2022

STAFF SIGNATURE

BADGE #:

PERNR: .

NARRATIVE REVIEWED: Yes

REVIEWED BY STAFF: Bravo, M

REVIEWED DATE: 12/09/2022

REVIEWED TIME: 13:25:08

12

CDCR
REPORT NO. IRT161 - 12INCIDENT REPORT PACKAGE
INCIDENT LOG NUMBER: 00000000049095PAGE: 96
PROCESSED: 12/19/2022 13:47
REQUESTOR: M. Vega

STAFF NARRATIVE

STAFF NAME: Schultz, J
CREATED DATE: 12/19/2022NARRATIVE TYPE: Supplemental Report
CREATED TIME: 12:37:49

NARRATIVE

Q1 Please clarify if Inmate Rommel was provided new clothing after being decontaminated.

A1. Yes, after Rommel was decontaminated, He was provided clean clothing.

J. Schultz

DATE: 12/19/2022

STAFF SIGNATURE

PERNR:

BADGE #:

NARRATIVE REVIEWED: Yes
REVIEWED DATE: 12/19/2022REVIEWED BY STAFF: Vega, M
REVIEWED TIME: 13:34:52STAFF NAME: Gastelum, Jr
CREATED DATE: 12/09/2022NARRATIVE TYPE: Initial Report
CREATED TIME: 10:44:51

NARRATIVE

On Tuesday, December 6, 2022, at approximately 1214 hours, while assigned as Facility "D" Security Patrol #3, a "Code 2" on Facility C, Dorm 5 (FCD5) was announced via institutional radio. Upon arrival to FCD5, I observed all inmates in a seated or prone position. Facility C, Sergeant M. Bravo instructed me to escort Inmate Dowell CDCR #BU6329 (FCD5-52U), who was located in a prone position near the dayroom bench's in A-section. I placed Inmate Dowell in handcuffs, and conducted a clothed body search with negative results for contraband. I then assisted Inmate Dowell to his feet. Due to the presence of Chemical Agents, I asked Inmate Dowell if he was exposed to Chemical Agents, and if he would like to be decontaminated to which he replied, "No" and "No". I escorted Inmate Dowell to Facility "C" Holding Cell Area, conducted a visual search of Holding Cell #2, resulting in negative results for contraband. I placed Inmate Dowell into Holding Cell #2 and once secured, I removed the handcuffs, and conducted an undlothed body search resulting in negative results for contraband. I informed Medical Staff that a Medical Evaluation (7219) needed to be conducted on Dowell. I initiated a Holding Cell Log.

I then returned to FCD5 to provide further assistance. Upon arrival I was again instructed by Sgt. Bravo to escort Inmate Williams #BU5042 (FCD5-9U) who was located near the B-section Inmate restrooms. I placed handcuffs on Williams, performed a clothed body search of his person with negative results for contraband, assisted Williams to his feet, and escorted him out of the building. Due to the presence of Chemical Agents I asked Williams if he was exposed, and if he would like to be decontaminated, in which he stated "No" and "No". I then escorted Williams to the Facility "B" Holding Cell Area. I performed a visual search of Holding Cell #9 with negative results for contraband, and placed Williams inside. I secured the holding cell door, removed the handcuffs, and performed an Undlothed Body Search of his person with negative results for contraband. I initiated a Holding Cell Log, and informed Medical Staff that a Medical Evaluation (7219) needed to be conducted on Williams. This concludes my involvement in this incident.

J. Gastelum

DATE: 12/09/2022

STAFF SIGNATURE

PERNR:

BADGE #:

NARRATIVE REVIEWED: Yes
REVIEWED DATE: 12/09/2022REVIEWED BY STAFF: Bravo, M
REVIEWED TIME: 13:24:59

BACK →

STATE OF CALIFORNIA
GRIEVANCE

CDCR 602-1 (Rev. 01/22)

DEPARTMENT OF CORRECTIONS AND REHABILITATION	
CIM OOG	
Page 1 of 2	
OGT Log No: <u>504003</u>	Date Received: <u>JAN 10 2024</u>
Decision Due Date: _____	RECEIVED
Categories: _____	

Claimant Name: SILVERCDCR #: Bu3186Institution/Parole Region: CIMCurrent Housing/Parole Unit: MH-112 / Facility B

STAFF USE ONLY

Use this form to file a complaint with the Department.

In order for the Department to understand your complaint, please answer all of the following questions:

- What is the nature of your complaint?
- When and where did the complaint occur?
- Who was involved?
- Which specific people can support your complaint?
- Did you try to informally resolve the complaint?
- What rule or policy are you relying on to make your complaint?
- What specific action would resolve your complaint?

**This was done to edit out
the pigment distortion**

NOTE: Attach documents that help support your complaint (identify the documents if you do not have them).

ON 12/18/2023 I WAS TOLD I HAD TO GET A NEW ID
SO I GOT MY PICTURE TAKEN AND GOT A NEW ID

THE PICTURE ON MY ID IS EDITED CRUDELY THEY EVEN USED A LINE TOOL ON MY
LIPS. I WOULD LIKE TO KNOW WHY THERE WAS NEED TO EDIT MY ID PICTURE
ITS EASY TO SEE THAT THE PICTURE TAKEN OF MYSELF WAS EDITED AND IT LOOKS NOTHING
LIKE ME. I WOULD LIKE A NEW PICTURE TAKEN AND REASON WHY MY PICTURE WAS EDITED
IN WRITING.

**ALSO BECAUSE I HAVE A
HUGE NETWORK
AND THIS PIC PUBLIC**

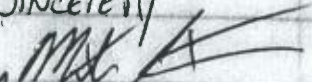
Medical Board of California - Central Complaint Unit

My name is Michael Silver #Bu3186 and I am incarcerated in California Institution for Men in Chino, California. I was a inmate at California State Prison from 2/14/2023 to 11/20/2023. I had been in correspondence with the Office of Inspector General about on going sexual abuse (Log #23-0067714-PI) OIG contacted CAL and CAL referred me to MENTAL HEALTH. CAL was trying to use MENTAL HEALTH to manipulate the politics of GENERAL POPULATION to try to silence me. Security at CAL investigation of the circumstances of the sexual abuse was absolutely pathetic and superficial. I saw Mental health services three times. All three times, I saw two different people who identified themselves as doctors. They at the end of each visit would conclude I needed nothing from MENTAL HEALTH. On 11/17/2023 I saw a treatment team and they said little except I was going on the CCCMS caseload and being transferred. I am just trying to stop the sexual abuse that was going on. In response or retaliation of me writing a second letter to OIG on 11/20/2023 corresponding about CAL's response. I was called up and taken to CENTRAL HEALTH@CAL where I met two "new" mental health people. At the time I never thought two people in a spot to help me would be used in a act of machination to transfer/silence me. So I never even got their names. I have GO2'ed it twice, with no response. Well after I told these MENTAL HEALTH people the same thing I told the other two doctors. One of the MENTAL HEALTH people proclaimed "He was expediting my transfer" I was UNAWARE but I WAS ON MY WAY to a crisis bed in Chino, CA

A crisis bed is the most restrictive level in CDCR. Those MENTAL HEALTH people were used as a tool of machination to silence me, to transfer me. And they knew they were wrong when they made that happen. How could a third opinion be different?

I WAS STRIPPED NAKED, including religious jewelry. And none of my property was transferred. Security at CAC NEVER transferred legal work that was about the SEXUAL ABUSE. When I got to "the crisis bed" in CHINO, there was NO HEAT or HOT WATER 11/20/2023-11/30/2023. I WAS NAKED the first 24 hours, I became ill and could not get approval for any medication as simple as Ibuprofen. It would be horrible if anyone who was actually suicidal to have to go to this "crisis bed". They would threaten me with forced medication and EOP placement if I kept petitioning the government about my claim. They all seemed angry that they had to work when you encountered them. Most were more worried about that I had a ring on than anything. I was released after ten days. But my point to this letter is I would like to start some complaint process. I have been trying to do a 602 HC (internal grievance) but have not been answered and was told to petition all avenues. THANK you for your TIME

Sincerely


MICHAEL SILVER



CALIFORNIA CORRECTIONAL HEALTH CARE SERVICES



Institutional Level Response

Closing Date: **FEB 28 2024**

To: SILVER, MICHAEL (BU3186)
B MH 1114001LP
California Institution for Men
P.O. Box 128
Chino, CA 91710

Tracking #: CIM HC 24000004

RULES AND REGULATIONS

The rules governing these issues are: California Code of Regulations, Title 15; Health Care Department Operations Manual; Mental Health Services Delivery System Program Guide; California Department of Corrections and Rehabilitation Department Operations Manual.

HEALTH CARE GRIEVANCE SUMMARY

In your CDCR 602 HC, Health Care Grievance, you explained the decision, action, condition, omission, policy, or regulation that has had a material adverse effect upon your health or welfare for which you seek administrative remedy.

Issue	Description
Issue: Staff Complaints (Investigation Request)	You were made Correctional Clinical Case Management System (CCCMS) and transferred to California Institution for Men, Mental Health Crisis Bed (MHCB) as a form of manipulation and retaliation as Calipatria staff did not want to help you with the sexual abuse you reported to Office of the Inspector General (OIG) regarding ongoing sexual abuse that was happening in Calipatria State Prison.
Issue: Non-Medical/Custody (Property)	You want your lost property.
Issue: Mental Health (Level of Care)	CCCMS level of care removed.

INTERVIEW

Pursuant to California Code of Regulations, Title 15, Section 3999.228(f)(1), an interview was not conducted as you did not request one by initialing the appropriate box on the CDCR 602 HC, Health Care Grievance.

INSTITUTIONAL LEVEL DISPOSITION

☒ No intervention. ☐ Intervention.

Note 1: The institutional level review is based on records available as of the date the Institutional Level Response is signed by the reviewing authority.

Note 2: The closing date reflects the closed, mailed/delivered date of the health care grievance.

Note 3: Permanent health care grievance document. Do not remove from the health care grievance package.

I only know as "Boca-Nergo/Jesus?" and I heard "Yeah, you better get away from me you fucking weirdo" So I turned around and walked back to both inmates and asked "who said that?" I knew it was inmate Chavis. I could tell by his voice and the fear in him. So I said "whoever said it, is a pussy". I went back to work and was approached by a very worried Boca-Nergo. He said he would never say that, told me it was Chavis. I said "what's wrong with him?" Inmate Boca-Nergo then stated Chavis was trying to get me to quit or get me fired. I said "why?" He then told me Katie told Chavis "I fuck with transys" and that Katie said "I am a weirdo".


After the incident security and Sgt Nelson followed our work crew probably because I made sure that free staff overheard all these conversations. During that time I heard Inmate Chavis pleading with security to send me home and to drug test me. After work change after work change a worried inmate Chavis approached me and said "sorry" and asked me if I was on medication. Inmate Chavis then stated Katie told him "She does not like me".

Why is Katie Diaz telling my personal information to other inmates? Why is she trying to turn other free staff and inmates against me? Why am I being discriminated against because Katie Diaz knows about my tranny phase from searching my phone in Hollywood Re-Entry? Why is she talking about a incident that happened at Hollywood Re-Entry with SMI inmates? I know I signed something at the intro of Hollywood Re-Entry saying they can't disclose my information. Why does Inmate Chavis think he is a officer for HPM? How well does he know Katie Diaz? I would like not to have staff @ CTM tell my information to other inmates and have them manipulate other people to dislike me for my sexuality.

PLEASE add this GO2 to your system ~~XXXXXXXXXX~~

I have been instructed to petition this on all avenues starting with this GO2

WHY WOULD A STATE EMPLOYEE
HAVE TO LIE TO PEOPLE
ABOUT HER NAME??

Claimant Signature: 

Date Signed: 1-5-24

STATE OF CALIFORNIA

GRACE

CDCR 602-1 (Rev. 01/22)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

JAN 08 2024 Page 1 of 2

STAFF USE ONLY

OGT Log No: 502721 Date Received: _____
 Decision Due Date: _____
 Categories: _____

Claimant Name: SILVERCDCR #: Bu3186Institution/Parole Region: CIMCurrent Housing/Parole Unit: B MH 112

STAFF USE ONLY

Use this form to file a complaint with the Department.

In order for the Department to understand your complaint, please answer all of the following questions:

- What is the nature of your complaint?
- When and where did the complaint occur?
- Who was involved?
- Which specific people can support your complaint?
- Did you try to informally resolve the complaint?
- What rule or policy are you relying on to make your complaint?
- What specific action would resolve your complaint?

LET IT BE KNOWN
 HER REAL NAME IS
 KATE DE LA HUNT

NOTE: Attach documents that help support your complaint (identify the documents if you do not have them).

I received a assignment for HEM clerk on D-yard around mid-December. I started working at HEM December 20th 2023. When I went into the HEM trailer I was met by Katie Diaz. Katie Diaz used to work at Hollywood Re-Entry in 2019 when I was housed there after my last term. Katie Diaz was a secretary and some of her duties included searching my phone, seeing my medical records, and being aware of my personal information. When I was there she was always hostile. She would insist on me being drug tested. Because she searched my phone she knew about my sexuality. She would make comments like "I just think its disgusting when a guy messes with transmys" and call me a fag. She told all the staff that I didn't even like women. An incident happened and I walked away from Hollywood Re-Entry. A week later I tried to retrieve my property at Hollywood Re-Entry and Katie Diaz told me it was thrown away.

When I started working at HEM and saw Katie Diaz I was going to forget Hollywood Re-Entry and Katie Diaz antics. Even though my assignment said "HEM clerk" I was instructed to work at D-yards station 1 or 2 as a custodian. I-B 20th court had most HEM workers not show up to work so a clerk named Chavis was told to work with myself and others. Chavis is a clerk for Katie Diaz. All day long Chavis would say things when I walked by him. Things like "weirdo" and "fag" I went to the HEM closet to grab something and was walking away from inmate "Chavis" and a inmate

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ADA Accessible

STATE OF CALIFORNIA

GRIEVANCE

CDCR 602-1 (Rev. 01/22)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

CIM OOG

Page 1 of 2

MAR 06 2024

RECEIVED

STAFF USE ONLY

OGT Log No: 530396

Date Received:

Decision Due Date:

Categories:

Claimant Name: SILVER, MICHAEL

CDCR #: B-3186

Institution/Parole Region: CIM

Current Housing/Parole Unit: B4-114

STAFF USE ONLY

Use this form to file a complaint with the Department.

In order for the Department to understand your complaint, please answer all of the following questions:

- What is the nature of your complaint?
- When and where did the complaint occur?
- Who was involved?
- Which specific people can support your complaint?
- Did you try to informally resolve the complaint?
- What rule or policy are you relying on to make your complaint?
- What specific action would resolve your complaint?

NOTE: Attach documents that help support your complaint (identify the documents if you do not have them).

I work for HFM and one of the things are doing, trying to make me quit, is, not paying me for the time I work. For the month of February they did not pay for the last week. It is all retaliation for state misconduct I wrote up LOG #502721. HFM also did not pay me for the first week of January, but I mentioned it in my appeal of #502721. They are discriminating against me because I am gender-fluid and white. They also will not provide me with a HFM-0033 (timesheet) like they do all other workers. They want my attention and a confrontation, but they are not going to get it.

DATE:02-18-21*TIME:07:53*

DMV RECORD FOR LAW ENFORCEMENT USE ONLY

DL NO:Y7677747*E D:02-26-1985*NAME:SILVER MICHAEL JOHN*

MAIL ADDR AS OF 09-15-21:7095 HOLLYWOOD BLVD APT 519 LOS ANGELES 90028*

OTH ADDR AS OF 07-27-21:7095 HOLLYWOOD BLVD APT 519 HOLLYWOOD *

IDENTIFYING INFORMATION:

*SEX:NBINRY*HAIR:BROWN*EYES:GRN*HT:6-01*WT:190*

ID CARD MLD:09-23-21*EXPIRES:02-26-27*BATES:LIS*

LICENSE STATUS:

NONE ISSUED*

DEPARTMENTAL ACTIONS:

NONE

CONVICTIONS:

NONE

FAILURES TO APPEAR:

NONE

ACCIDENTS:

NONE

END

OUTPUT MSG 018,

FROM

RD71YVVV10/18/2021 07:53

THIS IS TO PROVE
I AM GENDER FLUID
SINCE THEY NETWORKED
THAT I WAS A LIAR

CDCR
REPORT NO. IJPR130 - 42

INMATE MONTHLY TIME LOG

FOR: February, 2024

PAGE: 1 of 1

PROCESSED: 03/01/2024 10:12

REQUESTOR: M. Perez

CDC #: BU3186

FACILITY: CIM-Facility B

INMATE NAME: Silver, Michael John

HOUSING: B MH 1-114001L

DAY	TYPE OF DAY	FACILITY	POSITION #	POSITION TITLE	TIME IN	TIME OUT	HOURS PRESENT	TYPE OF TIME
01	THU	CIM-Facility B	PFM.305.005	HFM Clerk D	06:00	14:00	8	A-Unexcused Absence
02	FRI	CIM-Facility B	PFM.305.005	HFM Clerk D	06:00	14:00	8	A-Unexcused Absence
05	MON	CIM-Facility B	PFM.305.005	HFM Clerk D	06:00	08:00	2	X-Present
06	TUE	CIM-Facility B	PFM.305.005	HFM Clerk D	06:00	10:00	4	X-Present
07	WED	CIM-Facility B	PFM.305.005	HFM Clerk D	06:00	10:00	4	X-Present
08	THU	CIM-Facility B	PFM.305.005	HFM Clerk D	10:30	14:00	3.5	X-Present
12	MON	CIM-Facility B	PFM.305.005	HFM Clerk D	06:00	10:00	4	X-Present
13	TUE	CIM-Facility B	PFM.305.005	HFM Clerk D	06:00	14:00	8	A-Unexcused Absence
14	WED	CIM-Facility B	PFM.305.005	HFM Clerk D	06:00	14:00	8	S-Security (Unable to Attend)
			PFM.305.005	HFM Clerk D	06:00	10:00	4	X-Present
			PFM.305.005	HFM Clerk D	10:30	14:00	3.5	X-Present
15	THU	CIM-Facility B	PFM.305.005	HFM Clerk D	06:00	14:00	8	A-Unexcused Absence
16	FRI	CIM-Facility B	PFM.305.005	HFM Clerk D	06:00	10:00	4	X-Present
			PFM.305.005	HFM Clerk D	10:30	14:00	3.5	X-Present
20	TUE	CIM-Facility B	PFM.305.005	HFM Clerk D	06:00	10:00	4	X-Present
			PFM.305.005	HFM Clerk D	10:30	14:00	3.5	X-Present
21	WED	CIM-Facility B	PFM.305.005	HFM Clerk D	06:00	10:00	4	X-Present
			PFM.305.005	HFM Clerk D	10:30	14:00	3.5	X-Present
22	THU	CIM-Facility B	PFM.305.005	HFM Clerk D	06:00	10:00	4	X-Present

TOTALS: HOURS PRESENT: 51.50 hrs PAY RATE: \$0.35 per hour UNABLE TO ATTEND: 8.00 hrs EXCUSED ABSENCE: 0.00 hrs UNEXCUSED ABSENCE: 32.00 hrs GRAND TOTAL: 91.50 hrs

I WAS NOT PAID FOR
THE LAST WEEK OF FEBRUARY
OR THE FIRST WEEK
OF JANUARY

Grant Parks *State Auditor*

Mike Tilden *Chief Deputy*



February 2, 2024

CONFIDENTIAL

Case I2024-04601

Michael Silver, BU3186
Facility B – MH112
California Institution for Men
P.O. Box 441
Chino, California 91708

Dear Mr. Silver:

We received your correspondence dated January 24, 2024, in which you allege that an improper governmental activity has occurred within the California Department of Corrections and Rehabilitation. Under the provisions of the California Whistleblower Protection Act (Act), found at Government Code section 8547 et seq., the California State Auditor receives and investigates complaints of improper governmental activities by state agencies and employees. As provided in the Act, any actions we may take in response to your correspondence must remain confidential. As a result, we are prohibited from keeping you informed about the progress or results of any actions we take in response to your correspondence. In addition, we are unable to help individuals resolve disputes or disagreements they have with state agencies due to the confidentiality requirements and because we lack enforcement authority. If an investigation substantiates that a state agency or employee has engaged in an improper governmental activity, the State Auditor may issue a public report regarding the results of the investigation if issuing the report will serve the interests of the State. You may view our public reports on our website at www.auditor.ca.gov.

In addition, you should be aware that the following organizations focus on prison reform, civil rights, and rehabilitation, and will sometimes engage in advocacy or litigation on behalf of inmates.

American Civil Liberties Union
National Prison Project
915-15th Street, NW, 7th Floor
Washington, DC 20005

Citizens United for Rehabilitation
of Errants (CURE)
P.O. Box 2310
National Capital Station
Washington, DC 20013-2310

State of California

Department of Corrections and Rehabilitation

Memorandum

Date : March 15, 2024

To : Inmate Michael Silver CDCR #BU3186
Facility B-MH 1-114001L
California Institution for Men

Subject : **ALLEGATION OF STAFF MISCONDUCT RESPONSE REGARDING
ALLEGATIONS AGAINST STAFF TRACKING SYSTEM LOG NUMBER
(20056463)**

The California Department of Corrections and Rehabilitation (CDCR) received your allegation(s) of staff misconduct on January 18, 2024. The allegation(s) was/were processed in accordance with the CDCR staff misconduct regulations set forward in the California Code of Regulations (CCR), Title 15, Section 3486, Allegations of Staff Misconduct Towards an Incarcerated Person or Parolee. The processes set forth in CCR, Title 15, Section 3486 have concluded and the Hiring Authority has made the following determination regarding each allegation in your complaint as follows:

- You alleged that on or about October 2023 through November 2023, you were taunted by an Unknown Correctional Officer who called you a snitch and faggot.
NOT SUSTAINED
- You alleged that on or about November 14, 2023, or November 15, 2023, an Unknown Correctional Officer stated, "You are going to be found dead, hanging".
NOT SUSTAINED

No information related to any personnel action will be conveyed in this/these matter(s).



R. ARIAS
Warden
Calipatria State Prison

Memorandum

Date: March 7, 2024

To: SILVER CDCR# BU3186
B MH - 114L
California Institution for Men (CIM)

Subject: **ALLEGATION OF STAFF MISCONDUCT RESPONSE REGARDING ALLEGATIONS AGAINST STAFF TRACKING SYSTEM 20056733**

The California Department of Corrections and Rehabilitation (CDCR) received your allegation of staff misconduct on January 4, 2024. In your complaint, you made the following allegations:

- You alleged that between October-November 2023, Correctional Counselor I (CCI) A. Baca and an unknown Correctional Officer taunted you by calling you a snitch and a faggot.

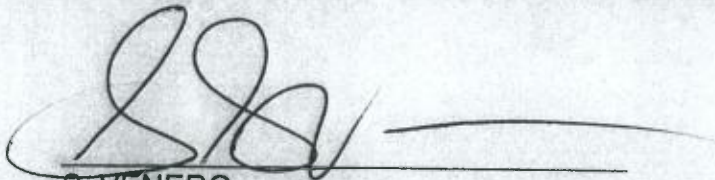
The allegation was processed in accordance with the CDCR staff misconduct regulations set forward in the California Code of Regulations of Regulations (CCR), Title 15, Section 3486, Allegations of Misconduct Towards an Incarcerated Person or Parolee.

The processes set forth in CCR, Title 15, Section 3486 have concluded, and the Hiring Authority has made the following determination regarding each allegation:

- You alleged that between October-November 2023, Correctional Counselor I (CCI) A. Baca and an unknown Correctional Officer taunted you by calling you a snitch and a faggot.

Hiring Authority Outcome: NOT SUSTAINED

No information related to any personnel action will be conveyed in this matter.



S. VENERO
Chief Deputy Warden
Calipatria State Prison

STATE OF CALIFORNIA
GRIEVANCE
 CDCR 02-1 (Rev. 01/22)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

CIM OOG

Page 1 of 2

DEC 11 2023

STAFF USE ONLYOGT Log No: 491044

Date Received: _____

Decision Due Date: _____

Categories: _____

RECEIVEDClaimant Name: SILVERCDCR #: Bu3186Institution/Parole Region: CIMCurrent Housing/Parole Unit: MH 112**STAFF USE ONLY**Use this form to file a complaint with the Department.

In order for the Department to understand your complaint, please answer all of the following questions:

- What is the nature of your complaint?
- When and where did the complaint occur?
- Who was involved?
- Which specific people can support your complaint?
- Did you try to informally resolve the complaint?
- What rule or policy are you relying on to make your complaint?
- What specific action would resolve your complaint?

NOTE: Attach documents that help support your complaint (identify the documents if you do not have them).

I came from Calipatria State Prison and got to California Institution for MEN on Nov 30 2023 via Crisis bed. I was told my property would be given to me the following week. If you look at my trust fund account it shows I just purchased copys and pleading paper for multiple legal actions I have going on. If I had my property I could show that I have documents showing I have deadlines. I also have ~~books~~ religious items in my property that I can prove I bought with a trust fund account statement. And if you look at my trust fund you can see I spend \$200+ a month at the store. I also have a television and other electronics that are logged in the computer on my bed card. It is cold and I need my clothes. This is becoming a malicious property deprivation. Also none of mail has been forwarded from Calipatria including legal mail. I've also not received any responses (a) from 602s and 602 HC's I wrote at CAL and (1) at CIM. I just want my property and a normal program.

STATE OF CALIFORNIA

GRIEVANCE

CDCR 602-1 (Rev. 01/22)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

CIM OOG

Page 1 of 2

STAFF USE ONLY	OGT Log No: <u>525954</u>	Date Received: <u>MAR 04 2024</u>
	Decision Due Date: _____	
	Categories: _____	RECEIVED

Claimant Name: MICHAEL SILVER CDCR #: Bu3186
 Institution/Parole Region: CIM Current Housing/Parole Unit: B4-114

STAFF USE ONLY

Use this form to file a complaint with the Department.

In order for the Department to understand your complaint, please answer all of the following questions:

- What is the nature of your complaint?
- When and where did the complaint occur?
- Who was involved?
- Which specific people can support your complaint?
- Did you try to informally resolve the complaint?
- What rule or policy are you relying on to make your complaint?
- What specific action would resolve your complaint?

NOTE: Attach documents that help support your complaint (identify the documents if you do not have them).

ON FEB 26 2024 I received confidential correspondence from the U.S. Department of Justice Civil Rights Division that was already open. I contacted the DOJ Civil Rights Division while @ CALIPATRIA State Prison and the correspondence, November 14 2023. So the correspondence was sent to CAL first. My DOJ report number is 404630-CHK.

Why is confidential correspondence such a problem for CDCR?

This has already been A ISSUE AND HERE THAT log # 475697

STATE OF CALIFORNIA

GRIEVANCE

CDCR 602-1 (Rev. 01/22)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

Page 1 of 2

STAFF USE ONLY	OGT Log No: <u>481539</u>	Received CAL Grievance
	Decision Due Date: _____	Date Received: <u>NOV 20 2023</u>
	Categories: _____	

Claimant Name: SILVER, MICHAEL CDCR #: B03186
 Institution/Parole Region: CAL Current Housing/Parole Unit: C4-104

STAFF USE ONLY

Use this form to file a complaint with the Department.

In order for the Department to understand your complaint, please answer all of the following questions:

- What is the nature of your complaint?
- When and where did the complaint occur?
- Who was involved?
- Which specific people can support your complaint?
- Did you try to informally resolve the complaint?
- What rule or policy are you relying on to make your complaint?
- What specific action would resolve your complaint?

NOTE: Attach documents that help support your complaint (identify the documents if you do not have them).

ON 11/15/23 I WENT TO SEND CONFIDENTIAL MAIL THROUGH MY fill in building officer. ~~WHEN I WENT TO SEND~~ THE MAIL WAS ADDRESSED TO THE OFFICE OF THE INSPECTOR GENERAL AND WAS A RESPONSE ~~TO A LETTER~~ I RECEIVED FROM THE OFFICE OF THE INSPECTOR GENERAL. WHEN I WENT TO SEND THE RESPONSE THE OFFICER SAID TAKE YOUR LETTER OUT OF THE ENVELOPE THEN READ THE FIRST PART OF MY "CONFIDENTIAL MAIL" THEN TOLD ME THAT MAIL TO INSPECTOR GENERAL WAS NOT LEGAL OR CONFIDENTIAL. PER TITLE 15 SECTION 341(2) HE CANT LOOK AT MY CONFIDENTIAL AND DEFINITELY CANT DENY ME SEALING THE ENVELOPE IN MY PRESENCE. HE SAID "THEY HAVE TO READ MY MAIL BEFORE SENDING IT." 23-0006225-PI IS MY CASE # FOR THE INSPECTOR GENERAL



**SUPERIOR COURT OF CALIFORNIA,
COUNTY OF SAN BERNARDINO**

San Bernardino District
247 West 3rd St
San Bernardino CA 92415
www.sb-court.org
909-384-1888

In The Matter Of: Michael Silver	
ACKNOWLEDGMENT OF FILING WRIT OF HABEAS CORPUS	Case Number WHCSB2400091

Michael Silver
PO Box 441
BU3186
Chino CA 91708

Date Petition Filed: 03/29/2024

Dear Petitioner: Michael Silver

This letter will serve to acknowledge the receipt of your Petition for Writ of Habeas Corpus and assigned to Department S20, Gregory S Tavill

Please remember that while your Petition is being processed, it is your responsibility to IMMEDIATELY notify the Court of any address change(s). Please send any correspondence to the Court listed at the top of this notice, attention 1st floor. You must include your inmate number and the case number to ensure it is processed timely.

Dated mailed: 4/5/2024

Clerk: Diane Zamora

Acknowledgment of Filing Writ of Habeas Corpus

ATTACHMENT F
CALIFORNIA INSTITUTION FOR MEN
PROOF OF SERVICE BY MAIL
 C.C.P. § 1013a; § 2015.5; Fed.R.Civ.P. 5; 28 U.S.C. 1746

(A) CASE NAME IMPERIAL County
HC-001 v CALIFORNIA STATE PRISON

Case # to be provided

I am over the age of eighteen years, a citizen of the United States, a resident of the State of California, and not a party to the within action. My mailing address is: P.O. BOX 3100 CHINO, CA 91708.

On the following date: (B) 4-4-2024, I served the following document(s): (C)
IMPERIAL County HABEAS Corpus + Supporting Documents
= 28 pages + preaddressed / HC-001 @ prison conditions @ CAL
pic-postaged confirmation

On the interested parties in this action by placing true copies thereof, enclosed in sealed envelopes, addressed as follows to the following parties: (D)

IMPERIAL County
Superior Court
939 WEST MAIN Street
El Centro CA 92243

I am readily familiar with the normal business practices for collection and processing of correspondence and other materials for mailing with the United States Postal Service. On the same day that correspondence is placed for collection and mailing in a sealed envelope with postage fully prepaid, it is deposited in a box so provided at the correctional institution in which I am presently confined.

I certify (or declare) under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

(E) Name: MICHAEL J SILVER CDCR# B43189
 Signed: [Signature] Dated: 4-4-24

B4 114L

CIM MAILROOM ACKNOWLEDGEMENT OF MAILING

DATED: 4-5-24

STAFF: L. Mon

SIGNED: [Signature]

CIM MAILROOM

APR 05 2024

FAC-B

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ATTACHMENT F
CALIFORNIA INSTITUTION FOR MEN
PROOF OF SERVICE BY MAIL
 C.C.P. §1013a; §2015.5, Fed.R.Civ.P. 5, 28 U.S.C. 1742

(A) CASE NAME Writ of MANDATE
SACRAMENTO CA 95814

Case # To be provided
by the clerk of courts

I am over the age of eighteen years, a citizen of the United States, a resident of the State of California, and not a party to the within action. My mailing address is: P.O. BOX 3100 CHINO, CA 91708.

On the following date: (B) 4-2-2024

I served the following document(s): (C)

WRIT OF MANDATE @ CDCR Office of I.A. for Sacramento Superior Court
= 25 page document + preaddressed/prepostaged Envelope for confirmation

On the interested parties in this action by placing true copies thereof, enclosed in sealed envelopes, addressed as follows to the following parties: (D)

Superior Court of the State of California
County of SACRAMENTO
720 9th Street
SACRAMENTO CA 95814

I am readily familiar with the normal business practices for collection and processing of correspondence and other materials for mailing with the United States Postal Service. On the same day that correspondence is placed for collection and mailing in a sealed envelope with postage fully prepaid, it is deposited in a box so provided at the correctional institution in which I am presently confined.

I certify (or declare) under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

(E) Name: MICHAEL J. SILVER CDCR#: Bu3186

Signed: [Signature] Dated: 4-2-2024

B4 114L

CIM MAILROOM ACKNOWLEDGEMENT OF MAILING

DATED: 4-3-24

STAFF: L. Morris

SIGNED: [Signature]

CIM MAILROOM

APR 03 2024

FAC-B

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STATE OF CALIFORNIA

GRIEVANCE

CDCR 602-1 (Rev. 01/22)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

CIM OOG

Page 1 of 2

OGT Log No: <u>549540</u>	Date Received: <u>APR 17 2024</u>
Decision Due Date:	
Categories:	RECEIVED

Claimant Name: SILVER, MICHAEL J CDCR #: Bu3186
 Institution/Parole Region: CIM Current Housing/Parole Unit: B4114

Use this form to file a complaint with the Department.

In order for the Department to understand your complaint, please answer all of the following questions:

- What is the nature of your complaint?
- When and where did the complaint occur?
- Who was involved?
- Which specific people can support your complaint?
- Did you try to informally resolve the complaint?
- What rule or policy are you relying on to make your complaint?
- What specific action would resolve your complaint?

BACK →

NOTE: Attach documents that help support your complaint (identify the documents if you do not have them).

When I first was cuffed by Security BRADA and Bailey they used a technique to promote aggression by stating "STOP TENSING UP! STOP TENSING UP! I lack the ability to 'TENSE UP'. And why would I tense up after getting up off the ground to show submission when I, Mike Silver returned to my cell after a cavity search for what was described as a language problem between myself and a Nigerian Male Nurse. I found my cell in total disarray. I have been around and this was a emotional act. This retaliation from various grievances and a HABEAS CORPUS on prison conditions. I also noticed right off hand a few items were missing LARGE Electronics such as a fan and television. BRADA and Bailey then locked me in my cell to instigate panic. I have a property transfer list on my door. I also have a CDC 1450 from ISU who just hit my house and took none of the targeted items. BAILEY and BRADA then returned. BAILEY stated he took my property to "HURTIME" He also stated ~~115's~~ 115's are pointless and is going to HURT ME with what I will describe as malicious property deprivation. He then came back with the items "FAN AND T.V. Security Bailey then threatened my fan, which I purchased through a VENDOR @ Calipatria. He said it's not in the Computer (Calipatria only deems fans upon purchase). I AM NOT going to write about everything I know about this and institutions. Bailey said it looked like I scratched my NAME on the fan but any hot blooded human can

Office of the INSPECTOR GENERAL

IN RE: April 13th 2024 pill call/cavity search incident

My name is Michael Steven Bu3186 and I am incarcerated at California Institution for Men. I have provided a copy of the GO2-HC that provides a perfect narrative. I also wrote a regular GO2 with another narrative concerning property tampering. Because CIM uses machinations on the GO2 process, I will not have that copy probably till the nitty gritty.

My point to this matter is when is it not okay to give a person a cavity search? I get strip searched everyday coming back from a another yard. I do not feel violated like I did when the officers "BRAVA and BAILEY" were working my building at the time, WEAPONIZED the fact they can have a incarcerated individual cavity searched. I am also GENDER-FLUID and there should be more considerate actions available.

Some Nigerian Male Nurse who in my opinion targeted myself because of my political activism, denied my medication. Which is Suboxone and they don't put people on the recommended dose @ CIM. At the time the building cops BRAVA and BAILEY. BRAVA was texting behind a box at the desk and BAILEY was hanging out with a inmate sex offender (who will witness) The regular building cops usually are at the pill call line making sure there are no issues. BRAVA and BAILEY were not.

Office of the INSPECTOR GENERAL

They could of Also made sure this issue did not escalate to something malice like it did. WHY DID I HAVE TO GET NAKED AND SHOW MY ANUS to some hallway cop because BRAVA and BAILEY didnt do their jobs? If they would let ME SEND you pictures I would but their almost bullet proof glass between the inmate and nurse. How was he threatened enough to hit the button? That nurse used that button as a WEAPON. I AM willing to stand in any court room and Algue THAT FACT.

And when he hit the button it resulted in myself having to get naked and show my ANUS AND PENIS to someone I hardly know? I FEEL VIOLATED and would like to know why this happened? I know I'm incarcerated but why can you just hit A button and thugs in uniform come make you get naked, looking at your ANUS. They wanted a reaction and this is the only reaction I offer. THIS cavity search was WEAPONIZED, is my point and was wrong. How would it make YOU FEEL if they did this to your family member?


MICHAEL SILVER Bu3186

SUPERIOR COURT OF THE STATE OF CALIFORNIA, COUNTY OF ORANGE

MINUTE ORDER

Case Number 21HF1781 M A

People Vs Silver, Michael John

Report Request Criteria

- | | |
|--------------------------|-------------------|
| 1. Docket Date Range | : Date filter |
| 2. Sequence Number Range | : Sequence filter |
| 3. Docket Category | : Category filter |

<u>Docket Dt</u>	<u>Seq</u>	<u>Text</u>
5/9/2024	1	Hearing held on 05/09/2024 at 09:00 AM in Department C5 for Chambers Work .
	2	Judicial Officer: Andre Manssourian, Judge
	3	Clerk: E. Flores
	4	No appearance by parties.
	6	Having reviewed petitioner's ex parte Petition for writ of Mandate (both filed April 18, 2024), the Court issues the following order:
	7	The petition is denied because petitioner does not establish entitlement to relief.
	8	"A writ of mandate may be issued by any court to any inferior tribunal, corporation, board, or person, to compel the performance of an act which the law specially enjoins, as a duty resulting from an office, trust, or station, or to compel the admission of a party to the use and enjoyment of a right or office to which the party is entitled, and from which the party is unlawfully precluded by that inferior tribunal, corporation, board, or person." (Code Civ. Proc., Section 1085(a).) "to compel public agencies to perform acts required by law with a writ of mandate, a petitioner must demonstrate (1) no plain, speedy, and adequate remedy exists, (2) a clear, present, ministerial duty on the part of the respondent, and (3) a correlative clear, present, and beneficial right in the petitioner to the performance of that duty." (people v. Superior Court (Kaulick) (203) 215 Cal.App.4th 1279.)
	9	The Federal Freedom of Information Act does not apply to state entities. (See Kerr v. U.S. District Court for Northern District of California (9th Cir. 1975) 511 F. 2d 192, 197 [plaintiffs in federal civil rights action not entitled to discovery of state prison records under Federal Freedom of Information Act].) As such, petitioner cannot establish that a California state agency is required to comply with his FOIA request as required for a writ of mandate to issue. Moreover, petitioner's Orange County case is final. He is currently incarcerated in state prison due to a Los Angeles County conviction. Any future requests for relief or judicial intervention should be directed to Los Angeles County.
	10	The Clerk of the Court is directed to serve a copy of this order on petitioner.
	11	Copy of Minute Order mailed to petitioner.
	12	Minutes of 05/09/2024 entered on 05/22/2024.

MICHAEL SILDEN Bu3186

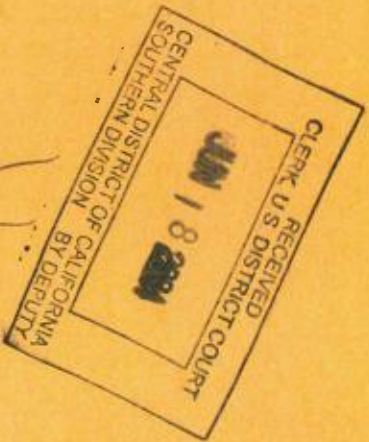
CS-1119

P.O. Box 500

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Processing



STATE PRISON

Southmen Div
U.S. COURTHOUSE
411 West 4th Street RM 11
SANTA ANA CA 92701



CONFIDENTIAL LEGAL MAIL
CALIFORNIA INSTITUTION FOR MEN - CIM
STAFF NAME: S. Goume
BADGE NUMBER: 60870
DATE SIGNED: 6/13/24
STAFF SIGNATURE: [Signature]

CONFIDENTIAL LEGAL MAIL
CALIFORNIA INSTITUTION FOR MEN - CIM
STAFF NAME: _____
BADGE NUMBER: _____
DATE SIGNED: _____
STAFF SIGNATURE: _____

~~SUPERIOR COURT OF CALIFORNIA~~
~~CLERK OF COURT~~
~~1000 MAIN STREET~~
~~SAN FRANCISCO, CA 95614~~

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